

**APRIL 16, 2012
PARMA CITY HALL COUNCIL CHAMBERS
REGULAR COUNCIL MEETING
7:00 P.M.**

The Regular Council Meeting was called to order by President of Council Sean P. Brennan presiding:

COUNCIL MEMBERS PRESENT:

BRIAN BROCHETTI
MARK CASSELBERRY
BRIAN DAY
ALLAN DIVIS
MARY GALINAS
ROY J. JECH
DEBORAH LIME
LARRY NAPOLI
SCOTT M. TUMA

Mrs. Swade – Mr. President, the Roll of Council has been called and I find a quorum of Council members present. The following officials and department heads were also present: Mayor Timothy DeGeeter, Chief Assistant Law Director Tim Miller, Auditor Dennis Kish, Treasurer Tom Mastroianni, Service Director Brian Higgins, Safety Director Gregory Baeppler, Communications and Community Relations Director Jeannie Roberts, Senior Citizen Director Jo Ann Mason, Community Development Director Erik Tollerup, Economic Development Officer/Grant Writer Shelley Cullins, Director of Public Housing Lev Kulchytsky, and Deputy Clerk I Elaine Swade.

INVOCATION

The Invocation was given this evening by Deputy Clerk I Elaine Swade.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led this evening by Micah Smith, the 2012 International Star Image Award winner from Ward 2.

Micah Smith – Stated, she went to Nationals in San Antonio, Texas where she won. Thanked all her supporters.

LEGISLATIVE COMMENT

Mr. Brennan – Asked if anyone from the public would like to comment on any legislation that Council will be taking final action on tonight. No one wished to comment.

DISPOSAL OF THE JOURNAL

Mr. Brennan – Stated, we have the Minutes from the Regular Council Meeting of April 2, 2012. Asked if there were any additions or corrections to these Minutes. Stated, hearing none, the Minutes will stand approved as printed.

ORDINANCES AND RESOLUTIONS

Motion made by Councilman Jech, seconded by Councilman Day, to amend the Calendar as follows: Under Third Reading, Ordinance No. 11-12 will be held on Third Reading. Under Suspension of the Rules, add Resolution No. 73-12 immediately after Resolution No. 65-12. Waive the three-day rule on Resolution No. 73-12 under Suspension of the Rules. Motion carried.

SECOND READING:

RESOLUTION NO. 60-12

4/2/12

L-60-12

BY: **B. BROCHETTI**

(By Request – City Engineer)

A RESOLUTION REQUESTING CUYAHOGA COUNTY TO PROCEED WITH THE GRADING, DRAINING, PAVING AND WIDENING OF BAGLEY ROAD AND PLEASANT VALLEY ROAD FROM PEARL ROAD TO YORK ROAD RESOLVING TO PAY ONE HUNDRED PERCENT (100%) OF THE COSTS FOR THE ENGINEERING, CONSTRUCTION AND CONSTRUCTION ENGINEERING FOR THE INSTALLATION OF SANITARY SEWERS, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day, to refer Resolution No. 60-12 back to the Finance Committee. Motion carried.

RESOLUTION NO. 61-12

4/2/12

L-61-12

BY: **B. DAY, B. BROCHETTI, M. CASSELBERRY, A. DIVIS, M. GALINAS, R. J. JECH, D. LIME, L. NAPOLI, S. M. TUMA**

(By Request – Mayor)

A RESOLUTION DECLARING IT NECESSARY TO RENEW AN EXISTING TAX LEVY IN EXCESS OF THE TEN MILL LIMITATION FOR THE PURPOSE OF PROVIDING AND MAINTAINING MOTOR VEHICLES, COMMUNICATIONS, AND OTHER EQUIPMENT USED DIRECTLY IN THE OPERATION OF THE POLICE DEPARTMENT, AND THE PAYMENT OF SALARIES OF PERMANENT POLICE PERSONNEL, INCLUDING THE PAYMENT OF THE POLICE OFFICER EMPLOYERS' CONTRIBUTION REQUIRED UNDER SECTION 742.33 OF THE OHIO REVISED CODE AND REQUESTING THE CUYAHOGA COUNTY FISCAL OFFICER TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THAT RENEWAL LEVY, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day, to refer Resolution No. 61-12 back to the Finance Committee. Motion carried.

RESOLUTION NO. 62-12

4/2/12

L-62-12

BY: **B. DAY, B. BROCHETTI, M. CASSELBERRY, A. DIVIS, M. GALINAS, R. J. JECH, D. LIME, L. NAPOLI, S. M. TUMA**

(By Request – Mayor)

A RESOLUTION DECLARING IT NECESSARY TO RENEW AN EXISTING TAX LEVY IN EXCESS OF THE TEN MILL LIMITATION FOR THE PURPOSE OF PROVIDING AND MAINTAINING MOTOR VEHICLES, COMMUNICATIONS, AND OTHER EQUIPMENT USED DIRECTLY IN THE OPERATION OF THE POLICE DEPARTMENT, AND THE PAYMENT OF SALARIES OF PERMANENT POLICE PERSONNEL, INCLUDING THE PAYMENT OF THE POLICE OFFICER EMPLOYERS' CONTRIBUTION REQUIRED UNDER SECTION 742.33 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day, to refer Resolution No. 62-12 back to the Finance Committee. Motion carried.

ORDINANCE NO. 68-12 4/2/12 L-68-12
BY: **B. DAY**, B. BROCHETTI, M. CASSELBERRY, A. DIVIS, M. GALINAS, R. J. JECH, D. LIME,
L. NAPOLI, S. M. TUMA
(By Request – Law Director)

AN ORDINANCE TO AMEND SECTION 143.32 "LAW
ENFORCEMENT TRUST FUND" OF THE CODIFIED
ORDINANCES OF THE CITY OF PARMA, AND DECLARING
AN EMERGENCY

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 68-12 on three different days be dispensed with?

Yes: Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime, Napoli.

No: None; motion carried.

Motion made by Councilman Jech, seconded by Councilman Day, to adopt Ordinance No. 68-12.

Yes: Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime, Napoli.

No: None; Ordinance No. 68-12 is adopted.

THIRD READING:

ORDINANCE NO. 11-12 2/6/12 L-11-12

BY: **R. J. JECH, M. GALINAS**
 (By Request – Recreation Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE
DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A
MEMORANDUM OF UNDERSTANDING WITH THE CITY OF
SEVEN HILLS FOR SHARED RECREATION FACILITIES,
AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime, seconded by Councilman Day, to hold Ordinance No. 11-12 on Third Reading. Motion carried.

BY: **L. NAPOLI**, R. J. JECH ORDINANCE NO. 48-12 3/5/12 L-48-12

AN ORDINANCE SETTING THE TIME AND PLACE OF
THE ASSESSMENT EQUALIZATION BOARD HEARING
WITH RESPECT TO THE PARKHAVEN DRIVE AND A
PORTION OF BROADVIEW ROAD SEWER ASSESSMENT,
AND DECLARING AN EMERGENCY

THIRD READING CONTINUED:

Motion made by Councilman Tuma, seconded by Councilman Day, to amend Ordinance No. 48-12 as follows: "That in the first Whereas Clause, the blank shall read **March 19, 2012**. That is Section 1., the third line shall read as follows: **April 18, 2012**, beginning at **4:15 p.m.** and adjourning at **5:15 p.m.** In Section 1., the blank on the last line shall read Ordinance No. **47-12**. Also, waive Rule 52 and place Ordinance No. 48-12 on Third Reading for passage as amended." Motion carried.

Motion made by Councilman Jech, seconded by Councilman Day, to adopt Ordinance No. 48-12 as amended.

Yes: Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime, Napoli.

No: None; Ordinance No. 48-12 is adopted as amended.

RESOLUTION NO. 55-12

3/19/12

L-55-12

(As amended)

BY: **B. BROCHETTI**, M. CASSELBERRY, B. DAY, A. DIVIS, M. GALINAS, R. J. JECH,
D. LIME, L. NAPOLI, S. M. TUMA

A RESOLUTION TO GRANT A MORAL CLAIM TO
ROBERT KRENCIGLOVA FOR A SANITARY SEWER
CONNECTION LOCATED AT 7865 LIST LANE IN THE
CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day, to adopt Resolution No. 55-12.

Yes: Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime, Napoli.

No: None; Resolution No. 55-12 is adopted.

ORDINANCE NO. 58-12

3/19/12

L-58-12

BY: **B. DAY**

(By Request – Safety Director)

AN ORDINANCE TO REPEAL CHAPTER 165 "BOXING AND
WRESTLING COMMISSION" AND A PORTION OF
SUBSECTION (b) "RECREATION DEPARTMENT" OF SECTION
185.05 "FEES OF THE DIRECTOR OF PUBLIC SERVICE" OF
THE CODIFIED ORDINANCES OF THE CITY OF PARMA RELATIVE
TO THE FEE FOR BOXING AND WRESTLING EXHIBITIONS, AND
DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day, to adopt Ordinance No. 58-12.

Yes: Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime, Napoli.

No: None; Ordinance No. 58-12 is adopted.

RESOLUTION NO. 65-12 4/16/12 L-65-12
BY: **B. DAY**, B. BROCHETTI, M. CASSELBERRY, A. DIVIS, M. GALINAS, R. J. JECH, D. LIME,
L. NAPOLI, S. M. TUMA

SUSPENSION OF THE RULES CONTINUED:

Mr. Brennan - Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 74-12 on three different days be dispensed with?

Yes: Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime, Napoli.

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to Committee be dispensed with and Ordinance No. 74-12 be placed on final passage?

Yes: Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime, Napoli.

No: None; motion carried

Motion made by Councilman Jech, seconded by Councilman Day, to adopt Ordinance No. 74-12.

Yes: Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime, Napoli.

No: None; Ordinance No. 74-12 is adopted.

RESOLUTION NO. 75-12

4/16/12

L-75-12

BY: **S. M. TUMA**

(By Request – Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S
POST CERTIFICATION OF REQUISITIONS AS
DETAILED IN EXHIBIT "A", AND DECLARING AN
EMERGENCY

Mr. Brennan - Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 75-12 on three different days be dispensed with?

Yes: Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime, Napoli.

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to Committee be dispensed with and Resolution No. 75-12 be placed on final passage?

Yes: Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime, Napoli.

No: None; motion carried

Motion made by Councilman Jech, seconded by Councilman Day, to adopt Resolution No. 75-12.

Yes: Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime, Napoli.

No: None; Resolution No. 75-12 is adopted.

ORDINANCE NO. 76-12

4/16/12

L-76-12

BY: **B. DAY**

(By Request – Safety Director)

AN ORDINANCE TO AMEND A PORTION OF SUBSECTION
(a) "ADMINISTRATIVE CODE" OF SECTION 185.04 "FEES OF THE
DIRECTOR OF PUBLIC SAFETY" OF THE CODIFIED ORDINANCES
OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Brennan - Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 76-12 on three different days be dispensed with?

Yes: Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime, Napoli.

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to Committee be dispensed with and Ordinance No. 76-12 be placed on final passage?

Yes: Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime, Napoli.

No: None; motion carried.

SUSPENSION OF THE RULES CONTINUED:

Motion made by Councilman Jech, seconded by Councilman Day, to adopt Ordinance No. 76-12.

Councilwoman Lime – Asked the Safety Director about the resident and non-resident fee increase.

Safety Director Baeppler – Stated, the Law Department brought us into compliance with the Administrative Code of the State.

Councilwoman Lime – Asked about the web check.

Safety Director Baeppler – Stated, this was a small change. A few fees are being brought into line with other fees in surrounding communities.

Councilwoman Galinas – Asked about the \$5.00 for fingerprinting.

Safety Director Baeppler – Stated, Corrections, anybody that works in the Record Room, anybody that needs a security clearance within the City.

Yes: Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime, Napoli.

No: None; Ordinance No. 76-12 is adopted.

ORDINANCE NO. 78-12

4/16/12

L-78-12

BY: **S. M. TUMA**, R. J. JECH, D. LIME, L. NAPOLI

(By Request – Building Commissioner)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE
DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A
CONTRACT WITH THE LOWEST AND BEST BIDDER FOR
THE CUTTING OF HIGH GRASS/WEEDS IN THE CITY OF
PARMA, AND DECLARING AN EMERGENCY

Mr. Brennan - Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 78-12 on three different days be dispensed with?

Yes: Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime, Napoli.

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to Committee be dispensed with and Resolution No. 78-12 be placed on final passage?

Yes: Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime, Napoli.

No: None; motion carried

Motion made by Councilman Jech, seconded by Councilman Day, to adopt Resolution No. 78-12.

Yes: Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime, Napoli.

No: None; Resolution No. 78-12 is adopted.

APPOINTMENTS AND CONFIRMATIONS

Motion made by Councilman Casselberry, seconded by Councilman Day, to confirm the appointment of Rev. Mark J. Peyton to the Fair Housing Review Board as recommended by the Appointment Scanning Committee. This appointment will be for a three-year term ending on December 31, 2014. Motion carried.

PUBLIC SESSION

Mrs. Maryann Nice, 4809 Sassafras – Asked if anyone has any answers about what is going to happen with Parmatown. Stated, that there are many rumors circulating, and she would like to know if they are true.

Mayor DeGeeter – Stated, don't believe the rumors. Stated, they are working hard every day on this. Stated, when we have information to release, we will do that.

MISCELLANEOUS BUSINESS

Mayor DeGeeter – Stated, this past week the Polish Village signs went up in Ward 2. There will be events taking place there May 4, 5, and 6, including a Polish Happy Hour and concluding with a grand parade on Sunday. Stated, 94 catch basins were given to the County to work on and 55 have been completed. There are still 39 outstanding, and the City has completed 30. There will be a Cleveland Water Meeting that will be open to Parma Heights residents, as well as ours, Brooklyn, North Royalton, and Lindale. It will be at the Senior Center.

Safety Director Baeppler – No comment.

Service Director Higgins – Stated, we will probably get a street program or some discussion to Council members next week. Stated, Ridge Road from Day Drive to Pleasant Valley has a power outage, but the Illuminating Company is working on it.

Auditor Kish – No comment.

Assistant Law Director Miller – No comment.

Treasurer Mastroianni – Thanked several members of Council who gave him checks for the Anthony Zielinski Leadership For Tomorrow Program. Our next leadership meeting is in May. The students do a mock Council Meeting and mock trial afterwards at the Justice Center.

Councilman Tuma – Stated, Parmatown is a private business entity, and the City is working to get information to residents when they can. With respect to the street paving program, asked if Council members will have a wish list for one or two streets in their wards that they really have a problem with.

Service Director Higgins – Stated, once he gets an idea of what needs to be done, he will share that with Council.

Councilman Brochetti – Thanked Council for passing Resolution No. 55-12. Thanked the Service Department, the Engineering Department and the Law Department for facilitating the moral claim process.

Councilman Casselberry – Thanked the Service Department for their good service. Residents have thanked him for the prompt response to some of their problems. Asked that everyone keep an eye out for children playing outside in the nice weather.

Councilman Day – Thanked everyone for their contributions to the Safety Fair – Project Cheer. The Safety Fair is April 28th, 11:00 a.m. to 2:00 p.m. at the Justice Center.

Councilman Divis – Stated, he was glad to see Father Peyton appointed to the Fair Housing Review Board. Father Peyton will do a great job.

Councilwoman Galinas – Stated, this is the 11th Safety Fair. This year we have more businesses that want to participate and show their safety paraphernalia. Stated, she had the Juvenile Diversion children out before Easter cleaning up some streets and catch basins.

Councilman Jech – No comment.

Councilwoman Lime – Stated, she was glad to hear that Council passed the Ordinance for grass cutting. She has a list of vacant houses that have high grass. Thanked the Service Department for some of the catch basin repairs that have been done over the last couple of months. Stated, she thanks the Administration for the new red trash cans by Polish Village.

MISCELLANEOUS BUSINESS CONTINUED:

Councilman Napoli – Stated, he appreciates the communication with the Service Department. It makes it easy for Council members to keep track of things.

Mr. Brennan – No comment.

ADJOURNMENT

Motion made by Councilman Day, seconded by Council Casselberry, to adjourn said Regular Council Meeting. Motion carried.

CERTIFICATION

I, Kenneth A. Ramser, Clerk of Council for the City of Parma, Ohio, do hereby certify the above to be a true and correct copy of the Minutes from the regular Council Meeting held on Monday, April 16, 2012.

KENNETH A. RAMSER
CLERK OF COUNCIL

SEAN P. BRENNAN
PRESIDENT OF COUNCIL

Meeting adjourned at 7:40 p.m.

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Minutes completed April 20, 2012

